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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EBAY INC.,)	Case No. 08-4052
)	
Plaintiff,)	[Proposed]
)	ORDER DISMISSING FIRST AMENDED
vs.)	COMPLAINT OF EBAY, INC.
)	
DIGITAL POINTS SOLUTIONS, INC.,)	
SHAWN HOGAN; KESSLER'S FLYING)	
CIRCUS; THUNDERWOOD HOLDINGS,)	
INC.; TODD DUNNING; DUNNING)	
ENTERPRISES, INC.; BRIAN DUNNING;)	
BRIANDUNNING.COM; and DOES 1-20,)	Date: December 12, 2008
)	Time: 9:00 a.m.
Defendants.)	Ctrm: 3 - Hon. Jeremy Fogel presiding
_____)	

The Motions of Defendant Kessler's Flying Circus, Todd Dunning, Dunning Enterprises, Inc., Brian Dunning, Thunderwood Holdings, Inc. and BrianDunning.com, to Dismiss Plaintiff's First Amended Complaint, came on for hearing on December 12, 2008. The parties

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1 appeared through their respective attorneys of record. The Court read and considered the papers on
2 file and considered the arguments of counsel and on good cause appearing therefore,

3 IT IS HEREBY ORDERED that the Motions are GRANTED.

4 IT IS FURTHER ORDRED that the First Amended Complaint is hereby dismissed.
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6 Dated:

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8 Jeremy Fogel
9 United States District Judge
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